

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, *et al.*, *ex rel.*  
BENJAMIN MARTINEZ, JR., CONNIE  
MORGAN, and CHRIS NEGRETE;

Plaintiffs,

v.

APRIA HEALTHCARE GROUP, INC., and  
APRIA HEALTHCARE LLC,

Defendants.

**CIVIL ACTION No: 17-CV-1059**

**~~PROPOSED~~ ORDER**

The Court having considered Relators' Consent Motion for Dismissal of Claims Under the State False Claims Acts that Relators have brought on behalf of the District of Columbia and the States of Alaska, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin (the "State Plaintiffs"), and the Court having found dismissal of those claims to be in the best interests of the Parties and in furtherance of the public purposes of the false claims laws of the State Plaintiffs, and in light of the State Plaintiffs having consented in writing to the Relators' motion to dismiss their claims with prejudice and having provided the reasons for their consent taking into account the best interests of the Parties and the public purposes of their false claims laws, it is ORDERED THAT:

Relators' claims on behalf of the State Plaintiffs are dismissed with prejudice. The Clerk of Court is respectfully directed to terminate the motion. Doc. 31.

Dated: February 26, 2021  
New York, New York



Edgardo Ramos, U.S.D.J.